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*Attorneys for Defendant,*  
*Smart Industries Corporation*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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WESCO INSURANCE COMPANY as subrogee  
of its insured NICKELS AND DIMES  
INCORPORATED,

Plaintiff,

vs.

SMART INDUSTRIES CORPORATION dba  
SMART INDUSTRIES CORP., MFG., an Iowa  
corporation,

Defendants.

Case No.: 2:16-cv-01206-JCM-CWH

CONSOLIDATED FOR PURPOSES OF  
DISCOVERY AND TRIAL

JENNIFER WYMAN, individually; BEAR  
WYMAN, a minor, by and through his natural  
parent JENNIFER WYMAN; JENNIFER  
WYMAN and VIVIAN SOOF, as Joint Special  
Administrators of the ESTATE OF CHARLES  
WYMAN,

Plaintiffs,

vs.

SMART INDUSTRIES CORPORATION dba  
SMART INDUSTRIES CORP., MFG.; HI-TECH  
SECURITY INC; WILLIAM ROSEBERRY;  
BOULEVARD VENTURES, LLC; SANSONE  
COMPANIES, LLC; DOES I through V; and  
BUSINESS ENTITIES I through V, inclusive,

Defendants.

Case No.: 2:16-cv-02378-RFB-GWF

**STIPULATION AND ORDER FOR  
SETTLEMENT CONFERENCE  
(First Request)**

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1 On July 17, 2018, this Court issued its Order (ECF No. 53) denying motions for summary  
2 judgment submitted by Defendants, Hi-Tech Security and William Roseberry (see ECF. No. 37), and  
3 Smart Industries, Inc. (ECF No. 38). On July 5, 2018, the Court had issued a separate order (EFC. No.  
4 52) denying Smart Industries, Inc.'s motion for summary regarding claims asserted by the Estate of  
5 Charles Wyman through Mr. Wyman's personal representative. (See EFC. No. 40).

6 The plaintiffs, Jennifer and Bear Wyman; Wesco Insurance Co.; and the Estate of Charles  
7 Wyman, and the defendants, Hi-Tech Security and William Roseberry, and Smart Industries, Inc. have  
8 begun settlement discussions, which the parties believe will be further by a Settlement Conference  
9 pursuant to LR 16-5.

10 The parties therefore stipulate to, and request that the Court schedule a Settlement Conference  
11 in these consolidated actions. To conserve judicial and legal resources, the parties further stipulate and  
12 request that the Court also order that the filing of a Joint Pretrial Order pursuant to LR 16-3 and 16-4  
13 be held in abeyance to allow the Settlement conference to be scheduled and to go forward; and, in the  
14 event the Settlement Conference does not result in full resolution of these consolidated actions, that  
15 the parties be allowed to file their Joint Pretrial order 30 days after the Settlement Conference.

16 This Stipulation is submitted in good faith and is not interposed for purposes of delay. **This is**  
17 **a first request.**

18 Respectfully submitted,

19 Dated this 15<sup>th</sup> day of August, 2018,

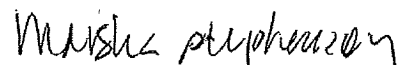
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28 *Attorneys for Defendant  
Smart Industries Corporation*

Dated this 15<sup>th</sup> day of August, 2018,

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1 Dated this 15<sup>th</sup> day of August, 2018,

2 GREENMAN GOLDBERG RABY &  
3 MARTINEZ

4   
5 THOMAS ASKEROTH, ESQ.  
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Dated this 14<sup>th</sup> day of August, 2018,

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ORDER

12 IT IS SO ORDERED.

13 DATED this 17 day of August, 2018.

14   
15 UNITED STATES MAGISTRATE JUDGE

18 The court will enter a separate order scheduling the settlement conference.